

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 2, 1999

DIVISION ONE

B121411 Drum and Davis (Not for Publication)

v.
County of Los Angeles et al.

The order under review is affirmed.

Masterson, J.

We concur: Spencer, P.J.
 Ortega, J.

B126804 Pauline Ross (Not for Publication)

v.
Anthony Henry Ross

The orders of the trial court are affirmed.

Masterson, J.

We concur: Spencer, P.J.
 Ortega, J.

B119916 Michael J. Keys (Not for Publication)

v.
Hughes Aircraft Company

The judgment is affirmed.

Masterson, J.

We concur: Ortega, Acting P.J.
 Vogel (Miriam A.), J.

June 2, 1999-Continued

DIVISION ONE (Continued)

B123951 Bryan Ryman (Not for Publication)
v.
Willis Townhomes, Inc., et al.

The trial court's order of dismissal, dated March 3, 1998, is reversed. The trial court's orders denying plaintiff's motions to set aside the dismissal, dated April 9, 1998 and May 12, 1998, are vacated. Plaintiff is entitled to costs on appeal.

Masterson, J.

We concur: Ortega, Acting P.J.
Vogel (Miriam A.), J.

B131059 Rollins et al.
v.
Superior Court, Los Angeles County
(Jalomo, r.p.i.)

Filed order modifying opinion. (No change in the judgment)

DIVISION FIVE

Court convened at 7:30 a.m.

Present: Turner, P.J., Grignon, J., Godoy Perez, J., and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B123406 Lewis v. Century-National Ins. Co.
B123096 People v. Martel Wynder
B127760 D.C.F.S. v. Eva V.

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B125635 Tel Portfolio Corp.
 v.
 Naum M. Shekhter

Merits:
Argued by Steven L. Zelig for appellant and by Ellen Farrell for
respondent. Cause submitted.

B122536 Sumitomo Marine & Fire Insurance Co.
 v.
 David Stotler

Appearances:
Kevin Patrick McVerry for appellant and by Mark L. Dana for respondent.
Argument waived, cause submitted.

B122919 Kramer Motors, Inc.
 v.
 Clarendon National Insurance Company

Merits:
Argued by Rex Heeseman for appellant and by William I. Chertok for
respondent. Cause submitted.

B115453 Orlando Aliberti
 v.
 Allstate Insurance Company et al.

Merits:
Argued by Richard L. Grimwade for appellant and by Ronald L. Kent for
respondent. Cause submitted.

B124928 The People
 v.
 Jefferson A. Thomas

Merits:
Argued by Carol S. Boyk for appellant and by Susan S. Kim, Deputy
Attorney General for respondent. Cause submitted.

DIVISION FIVE (Continued)

B126559 The People
 v.
 Damien Morrow C.

Merits:

Argued by Edward J. Haggerty for appellant and by Thien Huong Tran for respondent. Cause submitted.

Court recessed.

The Court reconvened at 10:00 a.m.

Present: Turner, P.J., Grignon, J., Godoy Perez, J., and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B124303 People v. Oran Hutson
B127423 Kramer v. California Compensation Ins.

Argument waived, cause submitted.

B126199 Hermin Domingo
 v.
 L.A. County M.T.A.

Appearances:

Carolyn Oill for appellant and by Stanley Z. White for respondent.
Argument waived, cause submitted.

B126607 The People
 v.
 Carolyn Jean Hannah

Merits:

Argued by Sally P. Brajevich for appellant and by Thomas C. Hsieh, deputy attorney general, for respondent. Cause submitted.

DIVISION FIVE (Continued)

B122652 Paktronics Controls, Inc.
 v.
 California Acrylic Industries, Inc.

Merits:
Argued by Carol A. Nadelman for appellant and by Angela P. Lui Walsh
for respondent. Cause submitted.

B123206 Adelman Enterprises, Inc.
 v.
 Al Brooks Theater Ticket Agency Inc., et al.

Merits:
Argued by Anne M. Huarte for appellants and by Michael G. Joerger for
respondent. Cause submitted.

Court recessed.

The Court reconvened at 1:00 p.m.

Present: Grignon, Acting P.J., Armstrong, J., Godoy Perez, J., and Zaida G. Heraldez,
Deputy Clerk.

B122707 Jerry M. Mullen
 v.
 Dorothy Lee Allen

Appearances:
Steven Lee Boortz for respondent and no appearance for appellant.
Argument waived, cause submitted.

B121541 Karl E. Epstein
 v.
 Jerry M. Mullen
 (Dorothy Lee Allen, r.p.i.)

Merits:
Argued by Philip D. Dapeer for appellant and by Wendy S. Albers for
respondent. Cause submitted.

DIVISION FIVE (Continued)

B120355 Airport Century, Inc.
 v.
 Denny's, Inc.

Merits:
Argued by Bruce H. Dunn for appellant and by Nina E. Scholtz for respondent. Cause submitted.

B122927 Miriam Arlyn Alu
 v.
 Charles F. Nielson

Merits:
Argued by Thomas A. Nitti for appellant and by Robert S. Woods for respondent. Cause submitted.

B113904 John Silberman
 v.
 Laurie Belger

Merits:
Argued by John A. Lawrence for appellant and by Eric Landau for respondent. Cause submitted.

B123253 Fuchs & Marshall
 v.
 Richard Coleman

Merits:
Argued by Gail S. Gilfillan for appellant and by Roy C. Weatherup and David J. Ozeran for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

[illegible]

The sentence for attempted murder with premeditation and deliberation in count 1 is modified to life with the possibility of parole, rather than 25 years to life. The clerk of the superior court is directed to amend the abstract of judgment accordingly and forward a copy to the Department of Corrections. The modified abstract shall also reflect 169 days of presentence actual custody credits, rather than 168, and total credits of 194 days, rather than 193. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, Acting P.J.
Yegan, J.

B117264 People (Not for Publication)
v.
Anaya

The judgment is modified to include a parole revocation fine of \$10,000 pursuant to section 1202.45, to be stayed pending appellant's successful completion of parole. The clerk of the superior court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting (1) a restitution fine of \$10,000 under section 1202.45 and (2) a fine of \$10,000 under section 1202.45. As so modified, the judgment is affirmed.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.
Matz, J. (Assigned)

DIVISION SEVEN

[illegible]

The judgment is affirmed.

Neal, J.

We concur: Lillie, P.J.
Johnson, J.

B117548 Vath (Not for Publication)
v.
Wickstrom

The judgment is affirmed. Each side to bear its own costs of appeal.

Johnson, J.

We concur: Lillie, P.J.
Neal, J.